

Stark One Privacy Policy

Last updated: 15.05.2018

Who are we?

STARK ONE services are provided by STARK DESIGN STUDIO ("STARK"). STARK is a digital design studio that delivers digital experiences to enrich the "customer - brand" connections. We offer a wide variety of services from digital strategy, prototyping, design, illustration, photography, web development (front-end & back-end), mobile development (iOS & Android), high-performance web hosting (Linux only), long-term design and development maintenance, to digital marketing (performance campaigns, email marketing) and digital branding. Although our focus is on digital products we also provide services like traditional branding and print graphic design. The Stark Team is a superhero squad with more than 30 years of experience combined. We are keen to design and develop outstanding digital products and for that we partner with our clients on long-term relationships.

The Stark One Website

The website that can be reached at stark.one, is a presentation website for the STARK company, which does not collect personal data. This website does not have functionalities that allow registration and does not send newsletters. However, the website does use Google Analytics. The Google Analytics service independently collects information and processes them on its own. The data that Stark has access to through the Google Analytics service are statistic results of the website traffic's analysis, none of which can concretely identify a certain physical person. You can find out more about the Google Analytics data collection by reading the [terms of use](#) of this service.

Cookies

Cookie collection is made primarily to improve the website's user experience. The cookies used are Google Analytics.

Each browser has settings that can be modified if you no longer wish your cookies to be stored, or if you prefer to receive notifications when you receive cookies. You can also delete any cookie that has been installed in the corresponding folder, by following the instructions of your browser's developer. **Google Chrome/Internet Explorer/Mozilla Firefox/Safari/Safari (Desktop and Mobile)/Android Browser/Opera/Opera Mobile.**

Processing of personal data

STARK ONE does not process personal data on its own name and does not offer personal data processing services. That being said, certain services offered to its clients make applicable the provisions of EU Regulation no. nr.679/2016 ("GDPR"), which provides certain obligations, not only to operators of this type of data, but also to their proxies (processors) and to any third party involved in the processing of personal data.

Depending on the services offered concretely to its clients and these clients' own activity, Stark can be authorized to process personal data under the direct authority of each client in particular.

Even in this context, the processing of personal data that STARK makes does not imply any relation with natural persons, each client managing through its own personnel the communication with persons whose data has been processed.

Personal data processing is made as a result of fulfilling some contractual obligations, through the concrete specifications addressed by each client. **The object of the contacts between STARK and each of its clients is not the processing of personal data**, but this processing can be made implicitly as the services directly provided by Stark or intermediated by it, are assured, sometimes, through **access** to the content of certain databases, through their **storage** on dedicated servers and/or by managing certain subscriber lists.

Personal data

Data with which apps developed by STARK interact can be **identification data** (first name, surname, social identification number), physical addresses, e-mail addresses, phone numbers, financial data.

Access, storage and any other action over personal data is made with legitimate purposes, according to contracts signed with each one of our clients. STARK does not intervene at the level of the data, does not make changes, assuring the client of their integrity, within the limits of the contracts signed with them and in accordance with the services provided by third parties other than Stark. Intervention at the level of the data will always be based on the execution of contracts with STARK' clients or on the necessity to respect a legal obligation.

Services that can involved processing of personal data.

- **Web development (front-end & back-end), mobile development (iOS & Android)**
This type of service does not generally involve processing of personal data. In certain stages of development, however, for the testing of certain functionalities, for example, STARK ONE can be authorized to have access to certain databases that belong to the client and with which the apps can interact. Access to this data is limited to the purpose described in the contract signed with that particular client and will be made exclusively for the period of time dedicated for development and/or testing.
- **Design and development maintenance**
Certain beneficiaries of our development, also access maintenance services offered by STARK. Processing of personal data will depend, in this case, on the type of application and the concrete activity of each client.

Maintenance services are very diverse and depend on the written requirements of the client. There are cases in which STARK performs minimal interactions with personal data, as the services provided materialize in testing certain functionalities, in certain code updates, functionality monitoring, or design modifications. These types of activities do not usually involve access to personal data, with the exception of the case in which the functionalities for which the maintenance services are performed incorporate or interact in any way with certain databases owned by the clients and which contain personal data. There are also situations in which providing a certain service is impossible without the access to the database and, implicitly, to said personal data.

- **Digital marketing (performance campaigns, e-mail marketing)**
There are STARK clients who wish, in addition to maintenance services, for us to offer support for their promotion through Google or Facebook campaigns. STARK's role in providing these services **is as an intermediary**, the client benefiting, in fact, of Google AdWords or Facebook Ads services, though their **implied adherence to the terms and**

conditions specific to these types of services. The concrete way in which any of these services will be used depends on each client's decision and their express requirements.

Processing of personal data implied in these types of services is performed exclusively in the conditions of the privacy policies specific to each provider. Adherence to Google AdWords services, for example, makes applicable certain privacy policies, according to the certain services required. [Here you can find a complete list of Google's privacy policy and the way in which any of these will be applicable.](#)

Facebook campaigns also have specific conditions that identify the way in which personal data is processed, and [a full list of the terms applicable in the case of Facebook Ads services can be found here.](#)

Stark can send newsletters exclusively for and in the name of our clients. For newsletter sending we use the services of MailChimp. [Here is where you can see the privacy policy](#) applicable to these services, as well as [a post dedicated to GDPR.](#)

Stark does not intervene in the client's decision to select and benefit from services of any provider and remains open to any recommendation to increase or reduce their number depending on the client's preferences. Each client is different and their way of communicating with their own end-users is also different, which is why STARK does not intervene at the level of the text content of the commercial messages sent on behalf of clients, the client personally customizing their communication.

We recommend to the client to pay close attention in regards to the creation of the newsletter's written message and to the verification of the legality of databases that contain e-mail addresses that will be used as part of the e-mail marketing service.

As part of the e-mail marketing service, clients can also benefit from the sending of text messages to their users' phone numbers, natural persons. STARK offers support in managing this type of service provided by **Twillio**. A client's access of this type of service, implies full acceptance of the [specific terms and conditions of the Twillio service.](#)

- **Web hosting. Data security**

STARK is not a hosting provider, making it only easier for certain clients to store certain information (websites) on servers managed by STARK. The servers are owned by Data Centers located in Romania and benefit from [hosting services provided by xServers](#) (S.C. Web Class IT S.R.L.), a provider with a long experience and intense and active preoccupation in the data security industry. The services provided by xServers are governed by the [privacy policy](#), the [processing of personal data notice](#), and the specific [terms and conditions](#), which the client will adhere to implicitly.

The xServers company is ISO 27001 certified by QSCert Romania. The standard is based on the following principles that define information security: privacy, integrity and availability of information. The approach of this standard assures a long-term security that is based on the implementation of policies, procedures, and security methods designed to protect information and resources of organizations. By reducing

risks to a minimum, there is a guarantee that the management system is functional and fulfills the operational requirements and is in compliance with the current legislation.

As part of the ISO 27001 certification, xServers manages the security of the services, data and processes in ISMS (Information Security Management Systems), which is evaluated throughout the year through audits. Once a year, ISMS is audited by QSCert Romania for conformity. In March, 2018, the xServers certification was successfully audited, which validates the way in which the processes of this company work, in terms of infrastructure, software development and data management.

The xServers' servers benefit from a firewall solution based on 2 signature profiles to two different attacks. The first profile assures protection against over 7000 types of cyber-attacks and was recently purchased by STARK to increase equipment security.

Information protection by Stark, personally or through services provided by third parties, are not only limited to the protection of personal data that Stark has access to, but also the security of all the information that can possibly be accessed. STARK makes all the efforts necessary to protect all the information and to constantly look for solutions to protect them.

Periodically, STARK makes available to its clients its own security recommendations received by third party providers with which it comes in contact with but cannot impose to any client the adoption of a certain measure, with the exception of the standard solutions available from providers agreed upon with the clients.

The Client can recommend or impose its own security principles or measures in case it considers that is necessary, STARK being obligated to apply any such measure under the condition that the Client support any costs involved in applying such measures or development, or technical adaptations.

In addition to the warranties offered by the hosting provider in regards to data security, STARK applies optimal security solutions, both at the level of the server, as well as in each and every application there being several layers of security.

Stark operates any type of action at the level of the data exclusively through skilled personnel that has signed an appropriate confidentiality contract.

STARK providers

The services intermediated by Stark are not imposed to clients but agreed upon including in regards to each individual provider and the service that is intermediated. The Client can, in any moment of the contracting, depending on its own interests exercised as personal data operator, can opt for the changing of the providers contractually agreed upon. The changing of the providers can be solicited in any moment of the contracting, under the condition that the client notify Stark in written regarding its intention and fully assume any cost involved in the requested change.

Consent

The consent of natural persons whose data are kept in STARK clients' databases is and will be managed exclusively by each individual client, through its own personnel.

STARK does not know the way in which personal data are collected, nor is it able to verify its legality, as that does not correspond to its object of activity. The existence of any consent, its awarding or revoking, represent actions verified and controlled by data operators only, namely each client of STARK, **STARK not having any responsibility in this matter.**

Certain developments made by STARK represent, concretely, applications that allow the client to better manage the receipt or revocation of the consent of natural persons whose data are being processed. Any such application contains functionalities studied together with the client's legal representatives and fully accepted by it. These applications are developed at the client's order, STARK not operating functionality modifications except with the prior approval of the client.

There are certain situations when, during the development of certain applications or in the period in which these applications benefit from maintenance offered by our company, STARK transmits to its client certain recommendations. All these recommendations have as purpose a better functioning of the applications or are transmitted as a result of certain requirements expressly made by the client regarding other concrete situations that need resolution.

The recommendations transmitted by Stark or the answers given by it in certain concrete situations, regard exclusively functional and technical aspects or are given for the optimization of certain marketing objectives, not involving any type of legal analysis of the way in which personal data are processed or should be processed.

Location and transfer

STARK intermediates the hosting of certain websites on servers located in Data Centers from Romania.

Certain services, in addition to the web hosting services, imply processing of certain information, including of certain personal data, in other territories than Romania, a list that identifies the providers and locations being presented below.

The entity subcontracted	The contractual purpose	Locations of processing
WEB CLASS IT SRL	Hosting website/s, Job Databases Server Cloud	ROMANIA
Google, Inc.	Hosting / Servers (Google Cloud Dashboard – cloud launcher solutions for different environments)	St. Ghislain, Belgium https://www.google.com/about/datacenters/inside/locations/st-ghislain/
MailChimp	Server – automated e-mail	US

Twilio, Inc.	Server – automated SMS	US
Facebook Ireland LTD	Online Campaign Management	Dublin, Ireland

Stark does not operate transfers in other territories other than the ones declared by each individual provider, nor does it transmit data to third parties with the exception of providers that have been previously agreed upon with the clients, which become, implicitly, receivers of certain information by accessing their services.

Data transfers can be, however, operated by the initiative and under the direct supervision of each client, who will identify the transfer procedure, data that are effectively transferred, the territory, and any other elements necessary for a fully legal transfer.

Certain changes in territories can intervene, however, as a result of modification of the policies of certain providers, STARK being obligated, however, to rapidly intervene by notifying its client immediately when it becomes aware of said modification.

The retention period of personal data

The retention period of personal data will be performed accordingly to law's requirements. If the law will not identify a maximum term, we will proceed to store only so long as is necessary to fulfill the obligations to each client. To the extent that, upon termination of the contractual relationship, the client will expressly request the deletion of certain data that are linked with him or with its clients that are natural persons, we will proceed in accordance. In the case in which the client does not request the deletion of data or its express transfer onto other servers, the effective deletion of the data could be delayed up to a period of maximum 3 years.

Erasing the data will be operated only at the express request, addressed in writing by the client. The deletion can only be permanent and irreversible, Stark not taking any responsibility in regards to the deleted data, nor in regards to their prior method of processing. The client takes full responsibility in the case of any request for deletion of the data.

Contact

STARK DESIGN STUDIO S.R.L. has its headquarters in Romania, Ilfov County, Tunari, I.L.Caragiale Street, No. 4B, and is registered at the Trade Register under No. J23/2204/2017, Fiscal Identification Code: RO 35603187, e-mail address where it can be reached: office@stark.one.